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RECEIVED

NOV 14 2019

Clerk Superior Court  
AMY J HUNLEY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE

STATE OF ARIZONA

Plaintiff,

vs.

EDWARD L. THOMAS

Defendant.

Case No. CR201900690

HON. TIMOTHY B. DICKERSON  
Division IV

**ORDER DISMISSING INDICTMENT  
FOR PRE-INDICTMENT DELAY**

Defendant's Motion to Dismiss for Pre-Indictment Delay having come before the Court and good cause appearing therefor in the Motion and accompanying Memorandum of Points and Authorities, and the Court having considered the State's response, if any, and having heard and considered the evidence presented and admitted and the arguments of respective counsel at the hearing of Defendant's Motion, if any,

IT IS HEREBY ORDERED that the Indictment in the above-captioned matter is dismissed in its entirety with prejudice because the State delayed charging Defendant for over twelve (12) years, and during the pre-indictment delay the State destroyed evidence critical to Defendant's defense thereby gaining a tactical advantage to the prejudice of Defendant – specifically, the

1 interviews of the purported victims in this matter which may have contained exculpatory  
2 information and/or may not have inculpated Defendant.

3 DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

4  
5  
6 THE HONORABLE TIMOTHY B. DICKERSON  
7 Judge of the Cochise County Superior Court  
8 Division IV

9 Lodged copy of the foregoing  
10 mailed/delivered/faxed  
11 this 14th day of November,  
12 2019, to:

13 The Honorable Timothy B. Dickerson  
14 Judge of the Superior Court  
15 Division IV  
16 Bisbee, Arizona 85603  
17 *Via Courthouse Distribution Box*

18 Cochise County Attorney's Office  
19 Attn: Michael Powell, Esq.  
20 Deputy County Attorney  
21 Post Office Drawer CA  
22 Bisbee, Arizona 85603  
23 Attorney for the State  
24 *Hand-delivered*

25 Defendant